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STATE OF DELAWARE
OFFICE OF THE SECRETARY
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
NEW CASTLE, DELAWARE 19720
PHONE: (302) 421 - 6705

January 16, 1979

The Honorable Barbara M. Watson
Assistant Secretary for Consular Affairs
Department of State
Washington, D. C.

Dear Secretary Watson:

It is my understanding that you are the State Department Official responsible for overseeing the disposition of the remains of the victims of the Guyana tragedy. As Secretary of the Delaware Department of Health and Social Services, I am responsible for administering Delaware's laws regarding burial or cremation of the dead and also the investigation of death.

For about six weeks now, we have been trying to make it clear to State Department representatives that Delaware laws make it virtually impossible for us to permit the burial or cremation of any of the Guyana victims in Delaware. The die was cast when the State and Defense Departments removed the remains from Guyana without appropriate medicolegal investigations of the cause and manner of death. Since this investigation was not undertaken in Guyana and since the remains were embalmed here without appropriate investigations, we cannot issue the necessary burial or cremation permits in Delaware. The officials who must put their reputations and signatures on the line are not prepared to issue burial and cremation permits without the necessary medicolegal investigations.

State Department representatives were told what was needed to meet Delaware requirements at a meeting on November 29, 1978. Attending that meeting for the State were the Director of the State Division of Public Health and the Chief Medical Examiner of the State of Delaware. I recognize the pressures on the State Department attorneys but I cannot understand why they continue to press Delaware officials to permit burial or cremation here, when we have made our position clear.

Despite our position, State Department representatives asked our attorney to request that we review death certificates, the coroners record and autopsy reports (when available) to see whether they would be acceptable to permit burial or cremation in Delaware without further investigation by our Medical Examiner. Last week, the State Department representatives gave

us copies of pages from a Guyana death register and told us that these are Guyana death certificates. A copy is enclosed for your information. Without the records from the Coroner's Inquest in Guyana, we cannot officially evaluate the attached document because we have nothing to indicate how the information on the register was obtained. If you wish to pursue this after reading this letter, we will need to receive the records and minutes of the proceedings which are transmitted to the Director of Public Prosecution under Guyana law governing a coroner's inquest. We will especially expect to find copies of the signed statements of all witnesses who gave evidence at the inquiry.

We will review the documentation as your representatives have requested, but please understand that we will be looking for the medical evidence considered by the Coroner's jury in arriving at its conclusions as to the causes and manner of these deaths. Without adequate medicolegal evidence, we will not be able to permit burial or cremation in Delaware.

Speaking frankly, we have been and continue to be extremely doubtful as to the availability of documentation adequate to satisfy Delaware laws in this instance. This is because we are aware of the circumstances surrounding the removal of these remains from Guyana and their embalmment without appropriate investigations. We are also aware of the way in which the Coroner's jury in Guyana reached its verdicts.

Given all of this reality, we in Delaware are wondering why your representatives continue to press the notion of burial or cremation in Delaware. Our laws are particularly strict in this area. It seems to us that a lot of our time and yours is being wasted on a course of action which is futile. We understand that the State Department has responsibility for the remains. However, we feel an obligation to inform you directly that the current efforts of the State Department in Delaware have virtually no potential for resulting in the permanent disposition of these remains.

I trust that this summary will be helpful to you in deciding upon a fruitful course of action. If I can be of further assistance, please do not hesitate to call.

Sincerely yours,

Patricia C. Schramm

Patricia C. Schramm
Secretary

PCS:sm

cc: Mr. Bruce Dozier
The Honorable Pierre S. du Pont, IV
The Honorable Thomas B. Evans, Jr.
Mr. Michael White